


# COUNTY OF YORK

## MEMORANDUM

**DATE:** June 12, 2006 (BOS Mtg. 6/27/06)

**TO:** York County Board of Supervisors

**FROM:** James O. McReynolds, County Administrator 

**SUBJECT:** Application No. ZM-101-06, Peter V. Henderson

### ISSUE

This application seeks to amend the York County Zoning Map by reclassifying an approximately 8.28-acre portion of a 13.24-acre parcel located at 5800 Mooretown Road (Route 603) from IL (Limited Industrial) to RR (Rural Residential) to incorporate the acreage into a planned residential family subdivision that will encompass the subject property and adjacent acreage owned by the applicant. The property, further identified as a portion of Assessor's Parcel 5-14-B, is located approximately 2,400' north of the intersection of Mooretown Road and Ewell Road (Route 1030).

### DESCRIPTION

- Property Owner: Peter V. Henderson
- Location: 5800 Mooretown Road (Route 603)
- Area: 8.28-acre portion of a 13.24-acre parcel
- Frontage: Parcel has approximately 259' of frontage on Mooretown Road; portion to be rezoned has no road frontage.
- Utilities: The property is served by septic and a private water system
- Topography: Moderate to severe slopes
- 2025 Land Use Map Designation: Limited Industrial and Conservation
- Zoning Classification: IL – Limited Industrial
- Existing Development: Contracting business
- Surrounding Development:

North: Two large-lot single-family detached homes (Edgewood Farms)  
East: Undeveloped property owned by the City of Williamsburg  
South: Single-family detached home and undeveloped watershed property  
West: Undeveloped parcel in James City County (across Mooretown Road)

- Proposed Development: Five-lot family subdivision with three new single-family detached homes

### **CONSIDERATIONS/CONCLUSIONS**

1. The Henderson family owns approximately 69.5 acres on Mooretown Road, including three parcels zoned IL (Limited Industrial) with a combined acreage of 15.1 acres and five parcels zoned RR (Rural Residential) with a combined acreage of 54.4 acres. Each of the five RR-zoned parcels is occupied by a single-family detached home. The applicant's contracting business (Henderson General Contractors) occupies approximately 4.96 acres of the IL-zoned property, and a small industrial park fronting on Mooretown Road occupies the other two IL parcels, which have a combined land area of approximately 1.85 acres. The applicant wishes to rezone the undeveloped 8.28-acre portion of land located to the rear of the contracting business from IL to RR, leaving approximately 6.82 acres zoned IL (the contracting business and the industrial park) and approximately 62.68 acres zoned RR. He has indicated that he plans to resubdivide most of the RR-zoned acreage as a 5-lot family subdivision in which three additional single-family detached homes would be built. The applicant's conceptual subdivision plan also depicts resubdivision of the three small lots along Mooretown Road; his plans have since changed, however, and he now plans to leave these three lots as they are. (The conceptual subdivision plan is provided for the Board's information only; this is not a conditional rezoning, and the Board is not being asked to approve the subdivision plan.)
2. The Comprehensive Plan designates approximately 5.7 acres of the subject parcel (the front portion along Mooretown Road) for Limited Industrial development; the remaining 7.5 acres to the rear are designated Conservation. The Limited Industrial designation recognizes the existing industrial activities, while the Conservation designation is intended to recognize the property's proximity to Waller Mill Reservoir and to prevent more intensive industrial development near the watershed.
3. The subject property and all of the surrounding area are within the Watershed Management and Protection Area overlay district. Before any subdivision of the property takes place, the applicant will be required to prepare a site-specific natural resources inventory (NRI) and submit it to the County for approval in accordance with the County's Chesapeake Bay Preservation Areas Ordinance. Additional buffer areas, both Chesapeake Bay Preservation Area buffers and Watershed Management and Protection Area buffers, may be required depending upon the findings of the NRI.
4. Since this is not a conditional rezoning, there is no guarantee that the family subdivision will be carried out as planned, and even if it is, the property could still be further subdivided at some future time. The "worst case" scenario (in terms of residential growth) in the event this application is approved is that the rezoned property could ultimately be resubdivided into eight single-family residential lots,

which could only take place once public water and sewer are extended to the property and public road access is provided.

### **PLANNING COMMISSION RECOMMENDATION**

The Planning Commission considered this application at its May 10 meeting and, subsequent to conducting a public hearing at which only the applicant spoke, voted 6:0 (Mr. Hamilton absent) to recommend approval.

### **COUNTY ADMINISTRATOR RECOMMENDATION**

I believe the requested RR zoning is more consistent with the Comprehensive Plan and the goal of protecting the watershed than is the existing IL zoning. The rezoning, if approved, will result in the addition of probably three (3) and no more than eight (8) single-family detached homes, which would have little impact on traffic or County services and infrastructure. Therefore, based on the considerations and conclusions as noted, I recommend that the Board approve this application through the adoption of proposed Ordinance No. 06-13.

Carter/3337:TCC

#### Attachments

- Excerpts of Planning Commission minutes, May 10, 2006
- Zoning Map
- Vicinity Map
- Aerial Photo
- Conceptual subdivision plan
- Proposed Ordinance No. 06-13